

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

IN RE: BEXTRA AND CELEBREX  
MARKETING SALES PRACTICES AND  
PRODUCT LIABILITY LITIGATION

Master Docket No. M:05-CV-01699-CR

MDL No. 1699 (07-0473 CRB)

This Document Relates to:

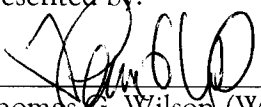
Averal G. Phillips as Executor of the Estate  
of Jessie Phillips vs.  
Pfizer Inc., et al., MDL No. 1699

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**PLAINTIFF'S RULE 41 VOLUNTARY STIPULATION OF DISMISSAL**

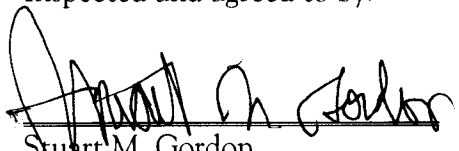
Pursuant to FED. R. CIV. P. 41, Averal G. Phillips, as Executor of the Estate of Jessie Phillips ("Plaintiff") hereby stipulates to voluntarily dismiss his action against the Defendants without prejudice. The Plaintiff and Defendants ("Parties") agree to bear their own costs and expenses. All parties who have appeared in this action acknowledge their agreement hereto as evidenced by their signatures below. This Stipulation is effective upon filing with the Court and binding on all parties. **Should Plaintiff or a representative of Plaintiff attempt to refile their claims against Pfizer, Inc., they shall do so only by filing it in the United States District Court in which venue would be proper and without joining any parties whose joinder would defeat diversity jurisdiction pursuant to 28 U.S.C. ' 1332.**

Presented by:

  
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and

Inspected and agreed to by:

 7/27/07

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IT IS SO ORDERED.

August 03, 2007.

